

**BOROUGH OF DUMONT
BERGEN COUNTY, NEW JERSEY
PUBLIC MEETING MINUTES
MARCH 18, 2014
7:15 PM**

Mayor Kelly called the meeting to order at 7:40PM

Flag Salute; Silent Prayer

Sunshine Law: The notice requirements of the Open Public Meetings Act of the State of New Jersey have been satisfied by the inclusion of the date, time and place of this regular meeting in the annual schedule and notice of regular meetings of this Governing Body. Such annual schedule and notice of regular meetings is posted at Borough Hall, was sent to *The Record* and the *Ridgewood News*, posted on the Borough website and filed with the Borough of Dumont.

Roll Call:

Council members: Carrick (via phone), Correa, Hayes, Riquelme, Zamechansky-present
Councilman Brophy-absent
Mayor Kelly-present

Motion to accept agenda as presented: Councilman Hayes
Second: Councilman Riquelme
All in favor.

Approval of Minutes

Motion to approve the February 4, 2014 Executive Session minutes: Councilman Hayes
Second: Councilwoman Zamechansky
Roll call vote: Council members Correa, Hayes, Riquelme, Zamechansky-yes
Councilman Carrick-abstained
Motion to approve the minutes of the February 18, 2014 Executive Meeting, Public Meeting and Closed Session: Councilman Riquelme
Second: Councilwoman Correa
Roll call vote: Council members Carrick, Correa, Hayes, Riquelme, Zamechansky-yes
Motion to approve the March 4, 2014 Executive Session and Closed Session: Councilman Hayes
Second: Councilman Riquelme
Roll call vote: Council members Carrick, Correa, Hayes, Riquelme-yes
Councilwoman Zamechansky-abstained

Council Committee Reports

- Councilman Carrick

No report

- Councilwoman Correa

Shade Tree Commission

The Councilwoman went to the meeting last night-Arbor Day is scheduled for April 26th.

- Councilman Hayes

Rent Leveling Board

The last meeting was cancelled.

Joint Land Use Board

The Board is scheduled to meet next Tuesday.

- Councilman Riquelme

Police Department

In February, there were 1,760 calls for service, 89 telephone calls for medical reasons, and 21 telephone calls for fire. The patrol division had 311 traffic summons and 3 DWI arrests. The Detective Bureau investigated 14 domestic violence cases, made 1 arrest and handled 31 criminal cases.

- Councilwoman Zamechansky

The Easter Egg Hunt is scheduled for April 12th at 10AM at Memorial Park.

Columbia Field will be renamed to the Dawn M. Totten Memorial Field at Columbia Park on April 27th at 1PM.

Mayor's Report

No report

Review of Consent Agenda Items: All items with an asterisk are considered to be non-controversial by the Council and will be approved by one motion. There may be further discussion prior to the vote upon request of a member of the public or a Council member. Also, any item may be removed for further discussion or for roll call vote in which case the item will be removed and considered in its normal sequence as part of the general order of business.

#14-75 Bills List *

#14-76 Approval of Fire Department & Ambulance 2013 LOSAP Contribution-\$46,200 *

#14-77 Approval of Hiring Three Substitute Crossing Guards-\$14.75 per hour *

#14-78 Authorization of Execution of Agreement Open Space Trust Grant-\$157,150 matching *

#14-79 Approval of Dumont Elks #2593 Club's Pull Tab Raffle March 16, 2014-March 15, 2015; ID #109-6-33628, RL#402 *

#14-80 Approval of Selzer School PTO On-premise Merchandise Raffle to be held April 24, 2014; ID#109-5-37089; RL#401 *

#14-81 Approval of St. Mary's Off-premise 50/50 Cash Raffle June 4, 2014-June 7, 2014; ID #109-1-471, RL#403 *

#14-82 Approval of St. Mary's On-premise 50/50 Cash Raffle to be held June 4, 2014-June 7, 2014; ID #109-1-471, RL#404 *

#14-83 Approval of St. Mary's Carnival Application for June 4, 2014-June 7, 2014; ID #109-1-471, RL#405 *

#14-84 Resolution Calling on the Legislature to Make the 2% Cap on Interest Arbitration Awards Permanent *

#14-85 "Friends of the Shade Tree"-Authorization to Submit Application for Inclusion in the Joint Insurance Fund * -PULLED

#14-86 Authorization to Hire Per Diem Dispatchers - \$12.75-\$16.00 range *

#14-87 Janet Galligan-Appoint as Recreation Commissioner Alternate #2 *

#14-88 Transfer of Appropriations *

#14-89 Zachary Arlin-Approval of Fire Department Fire Patrol Membership Status *

#14-90 Charles Cumella-Approval of Fire Department Full Membership Status *

#14-91 Request for Review and Approval of Municipal Affordable Housing Trust Fund Spending Plan *

#14-92 Police Officer Paul Tulli-Accept Terms of Retirement *

Motion to open to the public on Consent Agenda items: Councilman Hayes

Second: Councilwoman Zamechansky

All in favor.

1. Margaret Keating, 60 Fleetwood Road, asked for a synopsis of Resolution #91. Mr. Paster has to provide projected revenues derived from the COAH Development Fee Ordinance, which was submitted for review to the Council on Affordable Housing.

Motion to close to the public: Councilman Hayes

Second: Councilwoman Zamechansky

All in favor.

Motion to adopt Consent Agenda: Councilwoman Zamechansky

Second: Councilman Riquelme

Roll call vote: Council members Carrick, Correa, Hayes, Riquelme, Zamechansky -yes

ORDINANCES

First Reading

#1471 Ordinance to Exceed Municipal Budget Appropriation Limit and Establish Cap Bank

Motion to waive the formal reading: Councilwoman Zamechansky

Second: Councilwoman Correa

All in favor.

There was no discussion from the Council.

Motion to pass on first reading: Councilwoman Zamechansky

Second: Councilwoman Correa

Roll call vote: Council members Carrick, Correa, Hayes, Riquelme, Zamechansky-yes

#1472 Ordinance Amending Chapter 455-9 of the Borough of Dumont Code-W. Shore Avenue

Motion to waive formal reading: Councilman Carrick

Second: Councilwoman Correa

All in favor.

Councilman Hayes explained that there is a portion on West Shore Avenue zoned residential when it should have been zoned commercial. This ordinance corrects this.

Motion to pass on first reading: Councilwoman Zamechansky

Second: Councilman Hayes

Roll call vote: Council members Carrick, Correa, Hayes, Riquelme, Zamechansky-yes

General Order of Business

#14-93 Introduction of the 2014 Municipal Budget

Councilman Riquelme, a member of the finance committee, stated that this introduction would result in an increase of \$113 per average household. The finance committee will continue to work on the budget to reduce costs. Last year the increase was \$66 per household. They are working to match last year's number or maybe lower. Every \$50,000 in savings represents \$9.00 savings per household. The budget public hearing is scheduled for April 15th.

Motion to adopt: Councilman Riquelme

Second: Councilwoman Correa

Roll call vote: Council members Carrick, Correa, Hayes, Riquelme, Zamechansky-yes

Motion to open to the public for general comments: Councilman Hayes

Second: Councilman Riquelme

All in favor.

The Mayor requested that each person speak only once and that the time be limited to three minutes.

1. Brendan Keating, 65 Wilkens Drive: there is a Canadian goose issue.

2. John Hohnagel, 30 Wilkens Drive: Could notices be put in the Twin Boro News?

Mr. Paster: by statute there has to be a minimum circulation.

3. MaryAnn Russini, 141 Roosevelt Avenue: How many low income housing is still needed. Could the town look into purchasing foreclosed houses? Mr. Paster: Single family stand-alone housing is not compliant with affordable housing requirements.

4. Rich O'Connor, 49 Blish Place: alleged that the Council negotiated with the developer without an application. That area should be residential and would affect the values of homes. He said the resolution can be rescinded. We should go to the Supreme Court and fight it.

5. Karen Valido, 24 Overlook Avenue.: concerned about the schools and asked about zoning. Mr. Paster: the town has to provide a reasonable, feasible opportunity for people to acquire housing within the municipality. A voluntary plan might afford protection from the litigation we are currently facing.

6. Margaret Keating, 60 Fleetwood Road: Has Mr. Paster's response been submitted and when would it be available to the public? Mr. Paster: the response will be submitted by Monday and he will speak to the Clerk's office about the possibility of putting it on the website.

7. Rachel Bunin, 9 Poplar: Why don't we wait and see what COAH ends up? It is her understanding that the COAH requirements rise in the third round the more developments you have in your town.

8. Kevin Hughes, 59 Andover Avenue: The new housing will affect the value of houses around it and asked about tax appeals. Mr. Paster: tax appeals have to be filed by April 1st of each year.

9. Nancy Weinberg, Larch Avenue: Taxes will go up.

10. Tony Morfesis, Englewood Cliffs: does the town have a committee to extract something from the contractor if this development goes through? Taxes are high; he feels the town will go bankrupt.

11. Michael Sullivan, 125 Andover: Consider a municipal complex on that land.

12. Joanne Kamvasoulis: The plan would possibly have 72-80 units on the seven acre property and will probably bring in at least 200 people. She asked if the budget was considered as far as adding police officers, etc., schools and roads. Mr. Paster: there is no proposal in front of the Joint Land Use Board or Mayor & Council.

13. Virginia Tamburro, 596 Washington Avenue: A nice borough hall and community center for children should be built on the property. Schools are important. Sewers are an issue.

14. Mary Tumillo, 96 Stratford: Why can't foreclosures meet some of the COAH Requirements? Landmark and Hekemian have the same attorney. Is there a subspecialty attorney to handle a case like this? Did the JLUB already meet to rezone from farm to apartments? Shouldn't there be notification to neighbors? She is concerned about sewage. Mr. Paster: foreclosure homes would be considered a rehabilitation unit; you can't use those exclusively for credits. He is in constant contact with the planner. The Joint Land Use Board does not change zoning. They adopted the Master Plan that included the affordable housing component in order to be compliant. The law states that for a Master Plan re-examination,

notices have to be sent to neighboring towns and the County Planning Board. For an ordinance to rezone property homeowners within 200' of any portion of the property would be notified by certified mail; the same is true if an actual application came before the Joint Land Use Board.

15. Phyllis Binney, 32 Roxbury: Are the Mayor & Council aware of the Woodcliff Lake Galaxy Gardens. That town is in the process of taking back the property through eminent domain. The current COAH requirements are unconstitutional. She fears the final decision will be that this did not have to be done.

16. Debbie Tamburro, 125 Roosevelt Avenue: concerned about the schools.

17. Pete Fusco: He'll have to move if this project goes through.

18. Linda Ungar, 24 Larch Avenue: has the soil been tested? Mr. Paster: most likely the contract purchaser has done due diligence and taken into consideration any remediation needed.

19. Eugene Godora: estimate of taxes. Mr. Paster: there is no application so there is no way of predicting.

20. Jeff Lyons, 29 Wilkens: The planner had said that there is an alternative way to reduce our amount, which would be to purchase units and rehabs. This would reduce our obligation to five. The developer could then be told that we want four units.

21. Brendan Keating, 65 Wilkens: Even if only one unit was needed, the developer could still use this remedy. He is just using this to force rezoning. Most residents want to keep the zoning the way it is. The Mayor and Council and JLUB submitted the plan as a proactive strike. Options should be weighed-fight for no rezoning and let them build what is allowed now, work with the submitted plan or what would be forced upon the town. Shouldn't the public have a say? The numbers should be less than twelve. Mr. Paster: refusing to rezone it out of farm is not an option. The Borough doesn't have the power to prevent something being built there. It's private property. The difficult decision has to be made as to what the lowest impact with the greatest benefit would be. The numbers could be reduced or increased. The latest court action says that there have to be new regulation by October. There would be plenty of time to amend accordingly.

22. Kathy Doherty, Roxbury Road: the impact has to be minimized; is it possible to pursue fulfilling the affordable housing requirements through a different avenue simultaneously. Mr. Paster: will check with the planner.

23. Bill Osinski, 200 Summit Avenue: Is there any way to determine the cost of the BCUA if 200 units were added? He is concerned about the impact on taxes. Mr. Paster: there is a formula based upon the number of units-an average of 300 gallons per day per unit. This is something the JLUB would address if an application and site plan are submitted.

24. John Hochnagel, 30 Wilkens Drive: if Landmark was really concerned about people who need COAH, they wouldn't care about profit. Does the Council feel they need a new borough hall? If so, it should go on this property to benefit everyone in the town.

25. Chris, 84 Franklin Street: Could the Council form a committee so that residents can voice their concerns about COAH. Mr. Paster: there is a sub-committee comprised of members of the Land Use Board and the Council, which can be convened and if there is a sub-group of citizens who would like to have a discussion, it should be no problem. It is so important to have the COAH certification backing you up and you have to make a good faith effort to provide inclusionary zoning so COAH certifies that Dumont has done their job and then the court will tell the developer they have to do what they say based on COAH's rules.

Councilwoman Correa had attended the last meeting of the Land Use Board and apologized to the public for being spoken to in a disrespectful and condescending manner.

Motion to adjourn: Councilman Hayes
Second: Councilwoman Zamechansky
All in favor.

Meeting was adjourned at 9:25PM

Minutes respectfully submitted by:

Susan Connelly, RMC
Municipal Clerk